

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

U.S. Bank National Association, as Trustee for Terwin

Mortgage Trust 2005-8HE, Asset-Backed Certificates,

TMTS Series 2005-8HE

In Re:

Miguel E. Cunha, Angelina Cunha

Debtors.



Order Filed on March 6, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-10669 MBK

Adv. No.:

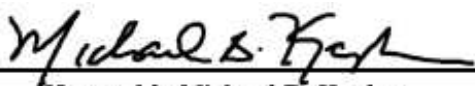
Hearing Date: 2/20/18 @ 10:00 a.m.

Judge: Michael B. Kaplan

ORDER REINSTATING STAY AND CURING POST-PETITION ARREARS

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: March 6, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtor: Miguel E. Cunha, Angelina Cunha

Case No: 17-10669 MBK

Caption of Order: ORDER REINSTATING STAY AND CURING ARREARS

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee for Terwin Mortgage Trust 2005-8HE, Asset-Backed Certificates, TMTS Series 2005-8HE, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 113 Fernwood Avenue, Burlington, NJ, 08016, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and, Lee Perlman, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 20, 2018, Debtors are in arrears outside of the Chapter 13 plan to Secured Creditor for payments due April 2017 through February 2018 (11 @ \$1,227.20, \$1,148.27 less suspense) for a total post-petition default of \$12,350.93;

It is **ORDERED, ADJUDGED and DECREED** that the debtor is to make an immediate payment of \$10,881.60 no later than March 15, 2018;

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$1,469.33 will be paid no later than March 31, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2018, directly to Secured Creditor, Specialized Loan Servicing, LLC, PO Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond and that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees, \$350.00 for the Opposition to the Motion to Reinstate, and \$176.00 for filing fees, totaling \$881.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that automatic stay as to the subject property is hereby reinstated.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Miguel E. Cunha
Debtor

Case No. 17-10669-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2018.

db +Miguel E. Cunha, 113 Fernwood Ave, Burlington, NJ 08016-2501

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee for Terwin Mortgage Trust 2005-8HE, Asset-Backed Certificates, Series 2005-8HE dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jason Brett Schwartz on behalf of Creditor Consumer Portfolio Services jschwartz@mesterschwartz.com
Lee Martin Perlman on behalf of Debtor Miguel E. Cunha ecf@newjerseybankruptcy.com, lmpcourt@gmail.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5